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[REDACTED]

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

AUG 29 1994

IN REPLY REFER TO:

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IC-94-13386
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Honorable John H. Chafee
United States Senate
567 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Chafee:

RECEIVED
AUG 31 1994
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Thank you for your August 1, 1994 letter on behalf of Mr. Joseph Ponte, Facility Director of the Donald W. Wyatt Detention Facility located in Central Falls, Rhode Island, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. For example, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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Honorable John H. Chafee

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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities. We are including a copy of your letter and enclosure with the public file on this proceeding.

Sincerely,

Robert W. Spangler / RWS

Robert W. Spangler
Deputy Chief (Policy)
Enforcement Division
Common Carrier Bureau

Enclosure

JOHN H. CHAFEE
RHODE ISLAND

COMMITTEE ON FINANCE

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ENVIRONMENT AND PUBLIC WORKS

THE SENATE ARMS CONTROL
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ON INTELLIGENCE

United States Senate

August 1, 1994

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94013386

Ms. Judith L. Harris, Director
Office of Legislative Affairs
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Dear Ms. Harris:

I am writing with regard to the FCC rulemaking (CC Docket 92-77) concerning Billed Party Preference, which relates to the routing of telephone calls to carriers of choice.

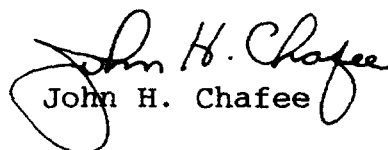
Enclosed please find a copy of a letter I received recently from Mr. Joseph Ponte, Facility Director of the Donald W. Wyatt Detention Center, located in Central Falls, in my home state of Rhode Island. I respectfully request that Mr. Ponte's comments be included in the record of official proceedings for this rulemaking, and that they be duly noted by the FCC.

I believe Mr. Ponte raises legitimate concerns in his letter regarding the need for correctional officials to maintain control of prisoners' phone access to prevent potential harassment of individuals. Additionally, Mr. Ponte cites the benefits of funds shared between the facility and its phone provider. These monies presently help fund inmate education, visitation, and other such programs. Furthermore, he states his belief that without such revenue-sharing, these programs would be reduced drastically, which would lead to problems at the facility.

Again, I ask that the FCC give every consideration to Mr. Ponte's concerns as it proceeds with this rulemaking.

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,


John H. Chafee

JHC/jeb
enclosure

CORNELL COX MANAGEMENT

A SUBSIDIARY OF CORNELL COX GROUP, L.P.

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July 13, 1994



Honorable John H. Chaffee
10 Dorrance Street
Suite 221
Providence, RI 02903

Dear Senator Chaffee:

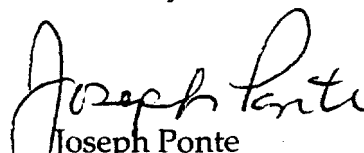
I am the Facility Director of the Donald W. Wyatt Detention Facility, and I am asking for your assistance with an FCC order for the proposal to route telephone calls via the carriers chosen by the party paying for the call, Billed Party Preference "BPP," CC Docket 92-77.

It is very important in the correctional setting that the phone system be controlled by administration to prevent call abuse and fraud. It is important that the immediate request of number blocking be addressed. With BPP in effect, it is conceivable that inmates could harass judges, jury members, even victims of their crimes. It is imperative that the federal government not interfere with my ability to manage and control the inmates' calling.

The inmate phone provider presently used at this facility offers an effective means of revenue-sharing which finances important inmate programs, i.e., education, family visitation, etc. These programs help with inmate morale, rehabilitation and reduced recidivism. Without this revenue-sharing, inmate programs would be drastically reduced which would in turn cause a climate problem within the institution.

Please take this letter into consideration, and I thank you for any help you may offer in this matter.

Sincerely,


Joseph Ponte
Facility Director

JP/dm